

REMARKS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. By the present amendment, claim 4 has been canceled, claims 1, 5, 10, 13, 14, 19-22, and 24-27 have been amended, and new claims 28-32 have been added. Claims 1-3 and 5-32 are pending in the application.

According to the present invention, an inflatable curtain is rolled-up in an outboard direction into a stored condition. The inflatable curtain is positioned in the vehicle such that the curtain, upon inflation, initially inflates and unrolls at an angle toward the vehicle side structure. The combination of rolling the curtain in an outboard direction and positioning the curtain to initially deploy toward the vehicle side structure causes the curtain to engage an occupant's head positioned against the side structure and move the occupant's head away from the side structure. This is not taught or suggested in the prior art cited in the Office Action.

In Brown et al., the inflatable curtain is not deployed initially at an angle toward the vehicle side structure. A ramp 57 (see Fig. 5) directs the inflatable curtain away from the side structure of the vehicle. The inflatable curtain in Brown et al. would thus inflate initially away from the vehicle side structure. In the event of an occupant's head being positioned against the side window, the ramp disclosed in Brown et al. would presumably direct the curtain to deploy inboard of the occupant's head. In any event, Brown et al. clearly does not teach or suggest moving an occupant's head

positioned against the vehicle side structure away from the side structure.

New claim 30 recites an inflatable vehicle occupant protection device constructed and arranged to engage an occupant's head positioned against the side structure, move the occupant's head away from the side structure, and inflate between the side structure of the vehicle and the occupant's head. The prior art, including Brown et al., does not teach or suggest moving an occupant's head positioned against the vehicle side structure away from the side structure. Therefore, it is respectfully submitted that new claim 30 is allowable.

Independent claims 1, 20-22, and 24-27 recite that the inflatable curtain upon inflation is adapted to inflate and unroll initially in a direction away from the vehicle roof and angled toward the vehicle side structure. The prior art does not teach or suggest this structure. In fact, the prior art does not even recognize a need to move an occupant's head positioned against a vehicle side structure away from the side structure upon deployment of an inflatable curtain.

For the reasons set forth above, it is respectfully submitted that claims 1, 20-22, and 24-27 are allowable. Claims 2, 3, 5-19, 32, and 33, depending from claim 1, and claim 23, depending from claim 22, are therefore allowable as depending from an allowable claim and for the specific features recited therein.

Previous claim 3 has been written in independent form as new claim 28 and is therefore allowable, as indicated in the

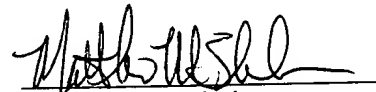
Serial No. 09/963,618

Office Action. Previous claim 8 has been written in independent form as new claim 29 and is therefore allowable, as indicated in the Office Action.

In view of the foregoing, it is respectfully submitted that the above identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,


Matthew M. Shaheen
Reg. No. 45,367

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
1111 Leader Building
526 Superior Avenue
Cleveland, Ohio 44114-1400
Phone: (216) 621-2234
Fax: (216) 621-4072